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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE SECOND PART (CLOSED)* OF THE 360th MEETING

Held at Headquarters, New York,
on Monday, 19 January 1998, at 3 p.m.

Chairperson: Ms. KHAN

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* The summary record of the first part (public) of the meeting appears as document CEDAW/C/SR.360.

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The meeting was called to order at 3.15 p.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (continued)

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE (continued)

1. The CHAIRPERSON drew attention to a list indicating which Committee member wished to participate in each of the two working groups: Working Group I on ways and means of expediting the work of the Committee, and Working Group II on ways and means of implementing article 21 of the Convention. She asked for proposals on which member should chair Working Group I.

2. Ms. CARTWRIGHT proposed that Ms. Aouij should chair Working Group I.

3. The CHAIRPERSON said that it would first be necessary to ascertain whether interpretation would be made available for all meetings of both working groups.

4. Ms. BUSTELO GARCÍA DEL REAL said that the choice of a chairperson should be based on considerations other than the ability to speak English.

5. Ms. CORTI said that she supported the nomination of Ms. Aouij. Since any discrimination against members who did not speak English was both unfair and detrimental to the Committee's work, each working group must be provided with interpretation into at least three of the official languages of the United Nations.

6. Ms. ESTRADA CASTILLO said that, in the past, she had been prevented from chairing Working Group I because interpretation had not been available. That kind of discrimination against non-English-speaking Committee members was very disturbing. If that situation continued, it would be necessary to make knowledge of English a requirement for membership of the Committee. She fully supported the nomination of Ms. Aouij.

7. Ms. FERRER said that the issue under discussion was a basic problem that must be addressed. It was important to respect the equality of all the official languages of the United Nations. Therefore, knowledge of English should not be a requirement for membership of the Committee. She could not agree to the suggestion, made at the eighth meeting of persons chairing the human rights treaty bodies, that working groups should conduct their business in English only. She agreed that Ms. Aouij should chair Working Group I.

8. Ms. KINTU (Secretary of the Committee) said that efforts were being made to secure interpretation for both working groups, even though the budget had not previously made allowance for interpretation at two meetings at the same time.

9. Ms. CORTI proposed that, pending an answer from the Secretariat, Working Group I should begin its work without deciding on a chairperson.

10. The CHAIRPERSON suggested that, since most of the participants in Working Group II spoke English, the interpretation services available should be provided to Working Group I.

11. Ms. SINEGIORGIS said that, in principle, it was absolutely unacceptable, at the United Nations, to be compelled to choose a chairperson on the basis of language. Since the Secretariat had set the dates of the Committee's session, it should have ensured that the necessary interpretation services would be available. Providing only one working group with interpretation would set a very bad precedent, since all Committee members were equally entitled to participate in all of the Committee's discussions. If necessary, the two working groups should meet alternately so that interpretation would be available to both of them.

12. Ms. CORTI, speaking in her capacity as Chairperson of the pre-session working group, said that the group had organized meetings with representatives of specialized agencies and non-governmental organizations, who had provided valuable information on the countries whose reports were to be considered at the current session. That experience had been helpful to the Committee members, as country rapporteurs, and had enabled them to formulate additional questions on the periodic reports under consideration. She recommended that the Committee should adopt that procedure as a regular practice, not only in relation to periodic reports, but also in relation to initial reports.

13. Unfortunately, most of the Committee members had failed to submit questions on the country reports to the pre-session working group. Consequently, the latter had had to prepare most of the questions on the periodic reports to be considered. Moreover, the lack of qualified staff to provide typing services in languages other than English had caused problems. It was important for all the Committee members to be informed, at least 20 days before the start of each session, as to which country reports were to be considered. In the case of the current session, the failure to inform Committee members of last-minute changes had resulted in wasted efforts and insufficient preparation.

14. Ms. TIMOTHY (Division for the Advancement of Women) said that the Secretariat had contacted the 10 countries which the Committee had selected at its preceding session and had set a deadline for their replies. By 10 October 1997, the Division had sent all Committee members the final list of country reports to be considered.

15. The CHAIRPERSON said that, although the Committee had decided previously to assign three members to prepare questions on each country report, that practice had not been followed. She wondered whether the Committee would prefer to ask the Secretariat to assist it in preparing questions.

16. Ms. AOUIJ said that the pre-session working group's exchange of views and information with representatives of specialized agencies and non-governmental organizations had been very positive, and that the Secretariat had responded promptly to the group's request that those representatives should be invited. She agreed that that should become a regular practice, not only for the pre-session working group but also for the Committee as a whole. The logistical

support which the Secretariat had provided to the pre-session working group had greatly facilitated and enhanced the quality of the latter's work.

17. Ms. FERRER said that the meeting with specialized agencies and non-governmental organizations had been an extremely useful initiative which should be repeated. As for the questions on country reports, the current system of assigning the task to three experts was a good one which should be maintained, even if there had been some delays in preparing for the current session.

18. Ms. CORTI said that, from a legal point of view, the Committee could not delegate the preparation of questions on country reports to the Secretariat. It was a question of discipline on the part of members in making the effort to meet their commitments; there had been a regrettable lack of such cooperation in respect of the current session.

19. Ms. ACAR suggested that the Secretariat might adopt a more flexible attitude towards deadlines and scheduling and that the allocation of country reports to individual experts might be confirmed shortly before each session.

20. Ms. CONNOR (Division for the Advancement of Women) said that the Secretariat had shown enormous flexibility with regard to deadlines; the only questions not passed on to the pre-session working group had been those received on the final day of its session after the group had concluded its work.

21. Ms. AQUIJ noted that country reports were assigned to experts on the basis of their familiarity with the region and the issues involved.

22. Ms. BUSTELO GARCÍA DEL REAL suggested that issues relating to working methods, including the submission of questions by experts, might be taken up by Working Group I.

23. Ms. CORTI said that it would be preferable to choose members from the same region as the reporting State to act as country rapporteurs.

24. Ms. CONNOR (Division for the Advancement of Women) noted that the members of the pre-session working group represented regional groupings; thus, it was not necessarily the country rapporteurs who prepared the questions on a given report.

25. Ms. SINEGIORGIS said that, while she agreed that, for the most part, experts should be assigned to prepare questions on the reports of countries from their own region, the perspective of someone from a different region could also be interesting and useful. Therefore, she suggested that one of the three experts assigned to each country report should be from outside the region concerned. It would also be helpful if the assignments for the next session could be announced on the last day of each session.

26. Ms. JAVATE DE DIOS (Rapporteur) said that the Committee should adopt a formal policy of encouraging the participation of specialized agencies and non-governmental organizations in the pre-session working group.

27. Ms. ESTRADA CASTILLO said that she wished to convey the strong desire of the Committee on the Rights of the Child to coordinate its work on the rights of the girl child with the work of the Committee on the Elimination of Discrimination against Women, especially in conjunction with the observance of the fiftieth anniversary of the Universal Declaration of Human Rights. The Committee on the Rights of the Child was planning an extensive publicity campaign in Latin America, in cooperation with the United Nations Development Fund for Women (UNIFEM) and the United Nations Children's Fund (UNICEF), and it would welcome participation by the present Committee also.

28. Ms. SHALEV agreed that the policy of cooperation with the specialized agencies and non-governmental organizations should be formalized.

29. Ms. AOUIJ suggested that Working Group I should consider the report of the pre-session working group and then submit recommendations to the plenary Committee. The issue of the contribution of Committee members to the pre-session process should also be put on the agenda of Working Group I. While members might occasionally have to contend with personal problems or emergencies, they should, in principle, shoulder their responsibilities. Cooperation with non-governmental organizations and the specialized agencies and cooperation among the treaty-monitoring bodies were also crucial issues which should be considered.

30. Ms. CORTI said that the Committee should take an immediate decision on the question of cooperation with non-governmental organizations; there was no need to refer it to a working group. However, cooperation with the specialized agencies should be discussed in the working groups.

31. The CHAIRPERSON said that, if she heard no objection, she would take it that the Committee as a whole wished to deal with the issue of inputs from non-governmental organizations to the work of the pre-session working group.

32. It was so decided.

33. The CHAIRPERSON expressed deep concern at the fact that seven members would be unable to participate fully in the Committee's current session. Since the Committee had requested and been allowed a second session to deal with its backlog of outstanding reports, it might lose credibility with the States parties. In that regard, the Bureau had suggested that she should write to the experts concerned to remind them of their responsibilities.

34. Ms. CORTI said that, while personal emergencies might occasionally arise, it seemed to her that far too many experts were absent from the current session. She wondered how States parties, especially those that had been instrumental in ensuring that the Committee was granted two sessions per year, might react upon learning that it was not functioning at full capacity.

35. Ms. SHALEV said that all members took the Committee's work seriously. It should not be assumed that their absence was attributable to a lack of responsibility. Noting that two of the experts who were absent had announced in advance that they would be unable to attend, she recalled that article 17, paragraph 7, of the Convention provided for the filling of casual vacancies.

36. Ms. SINEGIORGIS asked what provision was made in the rules of procedure for situations where a member failed to attend a number of sessions. The two experts who had announced that they could no longer attend the Committee's sessions should inform the Committee of that fact in writing, so that the Secretariat could request the States parties to nominate replacements for them. As long as there was a quorum, however, the Committee should proceed with its work.

37. The CHAIRPERSON said that her main concern was that the Committee was being deprived of the valuable contributions of the experts concerned.

38. Ms. KING (Special Adviser to the Secretary-General on Gender Issues and the Advancement of Women) said that rule 11 of the Committee's rules of procedure dealt with situations where members were unable to attend the Committee's meetings. In fact, upon being informed by two members of their intention to resign, the Secretariat had contacted the States parties concerned and could take no further action until all the procedural requirements had been met.

39. Ms. RYEL asked whether members of the Committee would be given a briefing or report on the Special Adviser's mission to Afghanistan, whether the United Nations would be able to undertake similar missions in the future to countries such as Algeria and whether a report could be prepared on an exceptional basis on Algeria. In that regard, she wished to know the outcome of the report prepared on an exceptional basis on Yugoslavia.

40. The CHAIRPERSON said that she would inform the Committee when the Special Adviser was ready to hold a briefing on Afghanistan. As far as Algeria was concerned, the Bureau had decided that Algeria should be asked to submit its initial report to the Committee's next session. If it did not agree to do so, the Committee could request that a report on Algeria be prepared on an exceptional basis or, failing that, could choose to consider the situation of women and children in Algeria. However, it would be best for the working group concerned to give the matter further consideration and submit a decision thereon to the plenary.

41. Ms. AOUIJ said that she was eagerly awaiting the Special Adviser's report on Afghanistan, where women and girls in particular were being severely oppressed. In the case of Algeria, there was a difference between the violations that were being committed by the Government and the atrocities that were being perpetrated by terrorist assassins. Since the Committee dealt with States parties, it was very important that it wait for the initial report of Algeria, which would be submitted shortly. If that report failed to meet all the Committee's expectations and concerns with respect to the situation of Algerian women, the Committee could then request the preparation of a report on an exceptional basis or a supplementary report. The Committee should show its full solidarity with Algeria. It should not make the same mistakes as the Western media that were identifying the Algerian Government with the terrorists. Coming as she did from a country that shared a common border with Algeria, she was quite aware of what was going on in that country. There was a need to exercise extreme caution in that regard; otherwise, the terrorists might well achieve their goal of pinning on the Algerian Government the blame for the atrocities which they were committing. It was perfectly legitimate, however,

for the Committee to request a report from the Algerian Government and she was prepared to put that item on the working group's agenda.

42. The CHAIRPERSON questioned whether crimes were being committed only by terrorist groups in Algeria, since the Government had thus far refused to agree to any kind of United Nations or outside investigation. However, the Committee had a moral and legal obligation to request Algeria to submit its initial report.

The meeting rose at 5.10 p.m.